

# **BOARD OF LICENSE COMMISSIONERS**

**City Hall, 718 Main Street**

**Fitchburg MA 01420**

**(978) 345-9557**

**William A. Judge, Chairman**

**Robert A. Bourque**

**David F. Arsenault**

## **MINUTES OF MEETING**

The regular meeting of the Board of License Commissioners was held on January 3, 2007, in the Veterans Memorial Room, City Hall, Fitchburg, and called to order by Chairman William Judge at 6:03 PM. Commissioner Robert Bourque was present. Commissioner David Arsenault was absent.

### **I. REVIEW AND ACCEPTANCE OF MINUTES FROM THE PREVIOUS MEETING.**

**The minutes of the regular meeting held on December 18, 2006 were reviewed, approved and signed by Commissioners Judge and Bourque.**

### **II. NEW APPLICATIONS**

**St. Joseph Parish Dances for Special One Day All Alcoholic Beverages License for January 13, February 10, March 24, April 21 and May 19, 2007 from 7PM to 11:30PM at 49 Woodland St.**

**APPROVED 2-0.**

### **III. SUMMONS HEARINGS**

**Fred Blake, Manager, The Cellar, 14 Mill St. for 1. Alleged Violation of ABCC Regulation 204-2.05: Permitting a disturbance on premise, two counts (FPD reports 06-35757-AR, 06-36598-AR); 2. Alleged Violation of the 10/23/06 restriction placed on The Cellar's license (restriction: that Mr. Fred Blake, Manager, be present at The Cellar on Thursday, Friday and Saturday nights or otherwise notify the License Commission). Present were Mr. Fred Blake and Attorney Joseph Solomito. FPD Officer Giannini was present and reiterated the details of his report. He stated further that the individual in question did appear that he had been drinking but that the main issues were related to mental health. He stated that he has dealt with this individual in the past and during that past incident he also exhibited behavior consistent with mental health issues.**

**In response to questions posed by Chairman Judge regarding the restriction placed on The Cellar's license (restriction: that Mr. Fred Blake, Manager, be present at The Cellar on Thursday, Friday and Saturday nights or otherwise notify the License Commission), Mr. Blake stated that he is present at The Cellar until 10PM every night. After that time his bartender is in charge. He stated that due to health reasons, he cannot arrive at the bar at 8AM and stay until 2AM. He stated that The Cellar issues "last call" at 1AM, brings the lights up and the music down at 1:15AM, the music goes off at 1:30AM and patrons are encouraged to immediately exit at that time. He stated that his staff wear staff shirts most of the time.**

**Chairman Judge motioned to change the closing hour of The Cellar to 1AM until a list of policies and specific changes they will make in response to License Commission concerns are received. There was no second to the motion. Chairman Judge withdrew the motion.**

**Chairman Judge motioned to continue the hearing to Monday, February 5, 2007. Commissioner Bourque seconded the motion. Motion passed by unanimous vote.**

**Upon request, Mr. Blake and Attorney Solomito agreed to submit a list of procedural changes that will take place in response to the Commission's concerns.**

### **IV. OTHER**

- Ann Veilleux, to discuss Taxi/Livery Business Regulations  
**Ms. Veilluex was not present.**
- Taxi driver applications  
**Approved for two years: Michael Burdett, Ann Veillieux**  
**Application from Randy Sumner was reviewed but not approved. The Commissioners noted a 1/15/07 pending driver's license suspension listed on the RMV driving record. The clerk was instructed to inform Mr. Sumner that he must bring in written evidence from the RMV that his driver's license will remain valid after 1/15/07 prior to further review of his application.**
- Late Filed Application from Karma at Bourbon Street for Seven (7) day 2AM Late Closing Permit. Present were Ms. Cynthia Allaire, Manager and Mr. Scott Gibeault.  
**Approved 2-0.**

**The meeting adjourned at 7:40 PM.**

Respectfully submitted,

Anna M. Farrell, Clerk

Approved:

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William A. Judge

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Robert A. Bourque

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David F. Arsenault